

REMARKS

Interview Summary

Applicant thanks the Examiner for the telephone interview on August 3, 2007, as summarized in Interview Summary included with the Office Communication mailed August 13, 2007. As discussed during the interview, the previous restriction requirement mailed on July 5, 2007, crossed in the mail with the preliminary amendment filed on June 25, 2007. Applicant thanks the Examiner for vacating the first restriction requirement and issuing a new restriction requirement in response to the preliminary amendment.

Restriction Requirement

In response to the Restriction Requirement, in which the Examiner required the Applicant to elect between the two inventions: Group I (claims 35-44, 46-51) and Group II (claim 45), Applicant has elected, without traverse, the claims of Group I, corresponding to claims 35-44 and 46-51.

Species Election

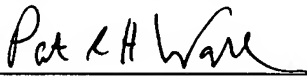
The Examiner also requested that Applicant elect a species of antibody comprising the sequence or sequences of antibody PD1-17, PD1-28, PD1-33, PD1-35 or PD1-F2. In response, Applicant has elected (D) PD1-35. The Examiner further required species election of the antibody which specifically binds to human PD-1 or mouse PD-1. In response, Applicant has elected (A) human PD-1 (SEQ ID NO: 41) for examination.

Applicant acknowledges the Examiner's indication that upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim, as provided by 37 CFR 1.141.

Having made this election, Applicant expressly reserves the right to file one or more divisional or continuation applications on the subject matter of the nonelected claims.

Dated: September 11, 2007

Respectfully submitted,

By 

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